

Remarks

Applicants thank Examiner for carefully considering the application and indicating allowable subject matter in the application. Applicants respectfully request Examiner to indicate drawings submitted on 2/10/2004 as accepted.

Claims 1, 19, 31 and 45 have been amended to include additional limitation “said plurality of elongate scattering elements have constant slant angles with respect to said planar guiding portion.” Support can be found in Figures 4, 8 and 21 where the constant slant angles are shown to have a magnitude of 90 degrees. Claim 32 has been amended to include all of the limitations of the base claim 31. No new matter has been added by way of these amendments.

Claims 1-6, 8-12, 15-25, 27-28, 31-36, 38-42, 45-55 remain in this application.

Claim Rejections – 35 USC § 102

Claims 1-6, 8-12, 15-16, 19-25, 27-28, 31, 33-36, 38-42 and 45-55

Claims 1-6, 8-12, 15-16, 19-25, 27-28, 31, 33-36, 38-42 and 45-55 are rejected under 35 USC 102(b) as being anticipated by Schultz et al., US Patent 6,285,813 (hereafter referred to as “Schultz”). Applicants respectfully traverse the rejection because Schultz does not expressly or inherently teach each and every element of the invention as claimed in amended independent claims 1, 19, 31 and 45, as well as the dependent claims.

The amended independent claim 1 requires the element of “said magnitude for said group of elongate scattering elements changing with position along said planar guiding portion **at a rate that is discontinuous.**” In office action page 2 and 3 item 4,

Examiner points to Shultz Fig. 1A-2, 6, col. 3 line 33 through col. 4 line 42 as disclosing this element but gives no indication as to where in Fig. 1A-2, 6, col. 3 line 33 through col. 4 line 42 this element is disclosed. Applicants respectfully assert that Schultz is completely silent with regard to **the discontinuous rate of change** and respectfully request that Examiner points to specific teaching in Shultz that supports this disclosure.

The amended independent claim 19 requires the element of “a plot of the magnitudes of said characteristic associated with said plurality of elongate scattering elements versus position along said guiding portion includes at least one elongate scattering element **substantially offset from a single exponential or Gaussian that is fit to said plot.**” In office action page 2 and 3 item 4, Examiner points to Shultz Fig. 1A-2, 6, col. 3 line 33 through col. 4 line 42 as disclosing this element but gives no indication as to where in Fig. 1A-2, 6, col. 3 line 33 through col. 4 line 42 this element is disclosed. Applicants respectfully assert that Schultz is completely silent with regard to this required element and respectfully request that Examiner points to specific teaching in Shultz that supports this disclosure.

The amended independent claim 45 requires “a relationship between widths and scatter cross-sections, said relationship including at least **two widths that provide substantially similar scatter cross-sections.**” In office action page 2 and 3 item 4, Examiner points to Shultz Fig. 1A-2, 6, col. 3 line 33 through col. 4 line 42 as disclosing this element but gives no indication as to where in Fig. 1A-2, 6, col. 3 line 33 through col. 4 line 42 this element is disclosed. Applicants respectfully assert that Schultz is completely silent with regard to this required element and respectfully request that Examiner points to specific teaching in Shultz that supports this disclosure.

In view of the foregoing, Schultz does not expressly or inherently teach each and every element of the invention as claimed in amended claims 1, 19 and 45. Accordingly, the amended independent claims 1, 19 and 45 are not anticipated by Schultz for at least this reason.

Further, Shultz teaches away from the claimed invention of amended independent claims 1, 19, 31 and 45, which require “said plurality of elongate scattering elements have **constant slant angles** with respect to said planar guiding portion.” Schultz teaches, in column 6 lines 11-23, “if the slant angle θ is constant ... the light intensity profile ... is difficult to focus ... the present invention provides ... that a variable slant angle θ is employed to achieve ... a Gaussian light intensity profile ...” In this teaching, Shultz states that the constant slant angle structure is undesirable and that the variable slant angle structure is the solution to achieve a Gaussian profile. Therefore, Schultz teaches away from the present invention as claimed in the amended independent claims 1, 19, 31 and 45, which achieve the Gaussian light intensity profile using **constant slant angle** structures different than the variable slant angle disclosed by Shultz. Accordingly, the amended independent claims 1, 19, 31 and 45 are not anticipated by Schultz for at least this reason.

Claims 2-6, 8-12, 15-16, 20-25, 27-28, 33-36, 38-42 and 46-55 depend, directly or indirectly, from the amended independent claims 1, 19, 31 or 45 and therefore are not anticipated by Schultz for at least the same reasons given above.

Accordingly Applicants respectfully request withdrawal of the rejection of the claims under 35 U.S.C. §102(b) by Schultz.

Claims 45, 47-48, 51 and 55

Claims 45, 47-48, 51 and 55 are rejected under 35 USC 102(b) as being anticipated by Li et al., US Patent 5,657,407 (hereafter referred to as “Li”). Applicants respectfully traverse the rejection because Li does not expressly or inherently teach each and every element of the invention as claimed in amended independent claim 45, as well as the dependent claims.

The amended independent claim 45 requires “a relationship between widths and scatter cross-sections, said relationship including **at least two widths that provide substantially similar scatter cross-sections.**” In office action page 5 and 6 item 17, Examiner points to “the at least two widths that provide substantially similar scatter cross-sections” but gives no indication as to where in Li this is disclosed. Applicants respectfully assert that Li is completely silent with regard to “**the at least two widths that provide substantially similar scatter cross-sections**” and respectfully request that Examiner points to specific teaching in Li that supports this disclosure.

In view of the foregoing, Li does not expressly or inherently teach each and every element of the invention as claimed in amended independent claim 45. Accordingly, the amended independent claim 45 is not anticipated by Li for at least this reason.

Claims 47-48, 51 and 55 depend, directly or indirectly, from the amended independent claim 45 and therefore are not anticipated by Li for at least the same reason.

Accordingly Applicants respectfully request withdrawal of the rejection of the claims under 35 U.S.C. §102(b) by Li.

Claim Rejections – 35 USC § 103

Claims 17 and 18 are rejected under 35 USC 103(a) as being unpatentable over Schultz. Examiner states in pertinent part that Schultz discloses the claimed invention in the same way as described in the 35 U.S.C. §102(b) rejection above. Applicants respectfully traverse the rejection because claims 17 and 18 depend from claim 1. Schultz does not teach each and every element of the invention as claimed in amended claim 1. Because the reference misses elements that provide capabilities not suggested by the prior art, Schultz does not render the claimed invention obvious under 35 U.S.C. §103(a).

Accordingly Applicants respectfully request withdrawal of the rejection of the claims under 35 U.S.C. §103(a) over Schultz.

Claims 46, 49-50 and 52-54 are rejected under 35 USC 103(a) as being unpatentable over Li. Examiner states in pertinent part that Li discloses the claimed invention in the same way as described in the 35 U.S.C. §102(b) rejection above. Applicants respectfully traverse the rejection because claims 46, 49-50 and 52-54 depend from claim 45. Li does not teach each and every element of the invention as claimed in amended claim 45. Because the reference misses elements that provide capabilities not suggested by the prior art, Li does not render the claimed invention obvious under 35 U.S.C. §103(a).

Accordingly Applicants respectfully request withdrawal of the rejection of the claims under 35 U.S.C. §103(a) over Li.

Allowable Subject Matter

Claim 32 is objected to as being dependent upon a rejected base claim. Claim 32 has been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Allowance of amended claim 32 is requested.

CONCLUSION

In view of the foregoing, the Applicants believe that all of the claims 1-6, 8-12, 15-25, 27-28, 31-36, 38-42 and 45-55 are now in condition for allowance and respectfully request the Examiner to issue a timely Notice of Allowance in this case. If for any reason, the Examiner believes any of the claims are not in condition for allowance, he is encouraged to call the undersigned attorney at 650-325-4999 so that any remaining issues may be resolved.

Respectfully submitted,



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